

**Finding of No Significant Impact
for
(EA # CA-350-2007-21)
Issuance of right-of-way for met towers
Eagle Lake Field Office**

INTRODUCTION:

The BLM Eagle Lake Field Office has conducted an environmental assessment (EA No.CA-350-2007-21) analyzing the impacts of authorizing the construction of four meteorological (met) towers. The EA analyzed two alternatives from which I have selected Alternative B.

Alternative B, the proposed action, is described in Chapter 2 of the attached EA in Section 2.1.2 on page 11 and consists of authorizing through right-of-way grant the installation, operation, maintenance, and removal of four 191 foot met towers in the Horse Lake area, Lassen County, California. The amendment would also authorize the holder to utilize one staging area in preparation for the installation of the towers and use motorized vehicles off of existing roads to access one tower location.

PLAN CONFORMANCE AND CONSISTENCY:

The Willow Creek Management Framework Plan (6/83) does not specifically address the proposed activities, however the proposal is clearly consistent with the following terms, conditions, and/or decisions of the plan:

I. 2.1 states "Grant rights-of-way for powerlines, pipelines, telephone lines, and other utilities as needed by the public."

FINDING OF NO SIGNIFICANT IMPACT DETERMINATION:

Based upon a review of the attached EA and the supporting documents, I have determined that Alternative B (the proposed action), which I have selected, is not a major federal action and will not significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. For this reason no environmental impact statement needs to be prepared. This finding is based on the following rationale and discussion of context and intensity of the action.

Rationale:

Following is the rationale for why the identified issues discussed in the EA will not be significantly affected or affect the action.

Cattle Distribution and Utilization of Cottonwood and South Horse Lake allotments

A livestock permittee on the Cottonwood and South Horse Lake allotments experienced effects to cattle distribution, and thus allotment utilization, during the 2007 grazing season due to activities associated with preliminary studies for the Horse Lake Wind Energy Project. No activities related to the proposed action occurred during this period, however, an analysis was conducted to determine if the proposed action, along with other relevant actions, would result in a significant effect to cattle distribution within these allotments. It was determined that the effects would be very limited in time and would not result in any major modification of cattle distribution or utilization, outside of the installation period. Major modification is defined as changes in livestock distribution as contrasted with historic distribution. The increase in vehicular activity is negligible when combined with the current estimated vehicle use and potential use of the area. Based on the analysis and limited vehicular travel associated with the proposed action, I do not feel there will be a significant impact on cattle distribution and utilization.

Visual Resources

The EA contains an analysis of the effects of the proposed action on the visual resources within the viewshed of the proposed towers. The analysis revealed that although met towers would be visible when sun lighting conditions and viewer angle results in light reflection off the tower, the majority of the time the towers, due to their narrow width, would generally not be visible from relatively short distances. Viewing existing met towers on mountains surrounding Susanville, such as Antelope, Shaffer, and Diamond mountains, have confirmed this determination of visibility. I have determined that the towers would not be obvious to the casual observer and are consistent with the visual objectives within Visual Resource Management Class II rating, and will therefore not cause a significant impact to visual resources.

BLM Sensitive and other wildlife species

One comment from the public alleged the presence of sensitive, threatened or endangered species within the project area. There is no record of threatened or endangered species within the project area. BLM Sensitive species have been observed adjacent to the tower locations. The presence or absence of a BLM Sensitive species does not, in and of itself, constitute an issue and the comment did not specify how they believed the Sensitive species would be affected. Nevertheless, the EA revealed the species potentially effected and revealed any potential effects to these wildlife species. With the design features incorporated into the proposed action (bird diverters), it is my opinion that there would not be any significant effects to any wildlife species resulting from the proposed action.

Intensity: (*Intensity refers to the severity of the impact.*) The following discussion is based on the relevant factors that should be considered in evaluating intensity as described in 40 CFR 1508.27:

1. Impacts may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.

I have determined that none of the direct, indirect or cumulative impacts associated with Alternative B are significant individually or combined.

2. The degree to which the selected alternative will affect public health or safety.

The proposed action is located within a rural setting. The proposed action requires that the tower be painted for aircraft visibility. No guy wires would be placed over existing roads. No other potential effects to public health and safety have been identified.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farm lands, wetlands, wilderness, wild and scenic rivers, or ecologically critical areas.

The proposed action is located on the ridges between Eagle Lake (approximately 2 miles), Willow Creek Valley (approximately 4 miles), and Horse Lake (approximately 3 miles). The Tunnison Wilderness Study Area is located approximately 5 miles to the southeast of the project area.

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial.

Copies of the EA were sent out as a draft to those who commented during scoping. After review of the comments received from the draft EA and throughout the NEPA process I have determined that the effects described in the EA are not highly controversial. Although I received many comments which reveal that wind development would be controversial, the effects on the quality of the human environment from development are outside the scope of this analysis.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

The analysis provided in the attached EA does not indicate that this action would involve any unique or unknown risks. The installation of met towers is not unique nor have any risks been identified from existing met towers.

6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The issuance of a right-of-way to install four met towers is not precedent setting nor does it represent a decision in principle.

Invenergy has proposed the Horse Lake Wind Project which would involve the installation, operation, maintenance and removal of approximately 67 wind turbines and associated ancillary facilities including power transmission lines, storage and maintenance facilities, etc. This proposed project is associated with the proposed action, however it is not a connected action and the approval of the installation of four met

towers does not represent a decision in principle about the future consideration of the wind project.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts – which include connected actions regardless of land ownership.

The BLM policy is that the use of meteorological towers for wind testing and monitoring is an unconnected single action that is not related to other actions with individually insignificant but cumulatively significant impacts.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

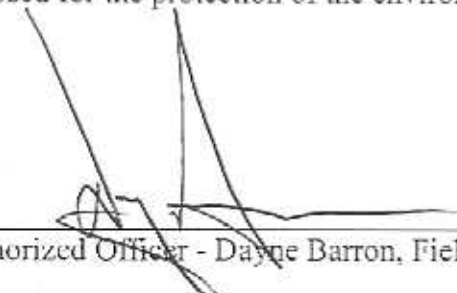
No significant scientific, cultural, or historical resources within or adjacent to the project area were identified through scoping.

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

After consultation with both state and federal wildlife agencies, it has been determined that there are no threatened or endangered plants or animals known to occur within the project or the adjacent area.

10. Whether the action threatens a violation of a federal, state, local, or tribal law, regulation or policy imposed for the protection of the environment, where nonfederal requirements are consistent with federal requirements.

The action does not violate any known federal, state, local or tribal law or requirement imposed for the protection of the environment.



Authorized Officer - Dayne Barron, Field Manager

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Date